

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

Rosie Meeks,

Plaintiff,

vs.

LTD Financial Services, L.P.,
a foreign limited partnership,

Defendant.

Case No.:

COMPLAINT

JURY TRIAL DEMAND

NOW COMES THE PLAINTIFF, ROSIE MEEKS, BY AND THROUGH
COUNSEL, Jacqueline Piland, and for her Complaint against the Defendant,
pleads as follows:

JURISDICTION

1. This court has jurisdiction under the Fair Debt Collection Practices Act
("FDCPA"), 15 U.S.C. §1692k(d) and 28 U.S.C. §§1331,1337.

VENUE

2. The transactions and occurrences which give rise to this action occurred in
the City of Decatur, Dekalb County, Georgia.
3. Venue is proper in the Northern District of Georgia, Atlanta Division.

PARTIES

4. Plaintiff is a natural person residing in City of Decatur, Dekalb County, Georgia.
5. The Defendant to this lawsuit is LTD Financial Services, L.P., is a foreign limited partnership that conducts business in the State of Georgia.

GENERAL ALLEGATIONS

6. Defendant is attempting to collect a consumer type debt owed by Plaintiff to Cottonwood Capital Property in the amount of \$2,393.00 ("the Alleged Debt").
7. On March 16, 2018, Plaintiff obtained her Trans Union credit disclosure and noticed the Alleged Debt reporting.
8. On or about May 23, 2018, Plaintiff submitted a letter to Defendant disputing the Alleged Debt.
9. On June 8, 2018, Credco, a prospective lender, obtained Plaintiff's Trans Union credit disclosure.
10. On September 13, 2018, Plaintiff obtained her Trans Union credit disclosure which showed that Defendant failed or refused to flag the Alleged Debt as disputed, in violation of the FDCPA.
11. In the credit reporting industry, data furnishers, such as the Defendant, communicate electronically with the credit bureaus.

12. Defendant had more than ample time to instruct Trans Union to flag its trade line as Disputed.

13. Defendant's inaction to have its trade line on Plaintiff's credit reports flagged as disputed was either negligent or willful.

14. Plaintiff suffered pecuniary and emotional damages as a result of Defendant's actions. Her credit report continues to be damaged due to the Defendant's failure to properly report the associated trade line.

VIOLATION OF

THE FAIR DEBT COLLECTION PRACTICES ACT

15. Plaintiff reincorporates the preceding allegations by reference.

16. At all relevant times, Defendant, in the ordinary course of its business, regularly engaged in the practice of collecting debts on behalf of other individuals or entities.

17. Plaintiff is a "consumer" for purposes of the FDCPA, and the account at issue in this case is a consumer debt.

18. Defendant is a "debt collector" under the Fair Debt Collection Practices Act ("FDCPA"), 15 U.S.C. §1692a(6).

19. Defendant's foregoing acts in attempting to collect this alleged debt violated the following provisions of the FDCPA:

- a. 15 U.S.C. §1692e by using false representations or misrepresenting the Alleged Debt by reporting credit information which is known to be false, including failure to report a disputed debt as disputed.

20. To date, and a direct and proximate cause of the Defendant's failure to honor its statutory obligations under the FDCPA, the Plaintiff has continued to suffer from a degraded credit report and credit score. Defendant has willfully continued to report false information on the Plaintiff's credit report.

21. Plaintiff has suffered economic, emotional, general, and statutory damages as a result of these violations of the FDCPA.

WHEREFORE, PLAINTIFF PRAYS that this court grant her a judgment against Defendant for actual damages, costs, interest, and attorneys' fees.

DEMAND FOR JUDGMENT RELIEF

Accordingly, Plaintiff requests that the Court grant her the following relief against the Defendant:

- a. Actual damages;
- b. Statutory damages;
- c. Statutory costs and attorneys' fees; and
- d. Exemplary and Punitive Damages for Defendant's willful violation of the Fair Debt Collection Practices Act.

JURY DEMAND

Plaintiff hereby demands a trial by Jury.

DATED: October 26, 2018

By: /s/ Jacqueline Piland
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